

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Civil No. 23-cv-0520 (PJS/JFD)

Plaintiff,

v.

\$75,466.10 seized from Commonwealth
Business Bank account #350000527, held in
the name of Urban Realty Management, Inc.,

Defendant,

URBAN REALTY AND MANAGEMENT,
INC.,

Claimant.

**ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT
AND FINAL ORDER OF FORFEITURE AS TO DEFENDANT PROPERTY A**

Based on the United States' motion for an order: (1) granting default judgment against all unknown persons and entities who have failed to file claim and answer to the Complaint For Forfeiture *In Rem* as to Defendant Property A; and (2) for a Final Order of Forfeiture as to Defendant Property A; and based on all the files and records in this action, the Court finds as follows:

1. The United States filed a Verified Complaint for Forfeiture *In Rem* on March 3, 2023, alleging that the defendant currency is subject to forfeiture pursuant to 18 U.S.C. § 981 (a)(1)(C).

2. The Clerk of Court issued a Warrant of Arrest and Notice *In Rem* on March 6, 2023 directing the U.S. Customs and Border Patrol to arrest the defendant currency and to serve all persons and entities with a potential interest in the defendant currency with a copy of the Complaint for Forfeiture *In Rem* and the Warrant of Arrest and Notice *In Rem*.

3. Among the Defendant Properties is “Defendant Property A,” identified as:

\$75,466.10 seized from Commonwealth Business Bank account #350000527, held in the name of Urban Realty Management, Inc.

4. The United States sent a Notice of Judicial Forfeiture Proceedings, the Verified Complaint for Forfeiture *In Rem*, and the Warrant of Arrest and Notice *In Rem* by certified mail on March 21, 2023 to the known potential claimant related to Defendant Property A, Claimant Urban Realty and Management, Inc.

5. On May 25, 2023, Urban Realty and Management, Inc. filed its claim and answer asserting its claim to Defendant Property A. ECF Nos. 6, 7.

6. Pursuant to Rule G(4)(a)(iv)(C), the U.S. Attorney’s Office posted a notice of forfeiture on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on March 9, 2023. That post ran for at least 30 days, from March 9, 2023 through April 7, 2023. ECF No. 5. The deadline for unknown potential claimants to file a claim under Supplemental Rule G was therefore May 8, 2023. Fed. R. Civ. P., Supp. R. G(5)(a)(ii)(B).

7. No other claim or answer has been filed as to Defendant Property A, and the time for filing a claim and answer has expired under Rule G(5), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

8. The United States and Claimant Urban Realty and Management, Inc. entered a Stipulation of Settlement on January 16th, 2024, agreeing to a final disposition of Defendant Property A on the following terms:

- a. The Claimant withdraws its claim to \$37,733.05 of Defendant Property A and agrees that all right, title, and interest in this amount will be forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) for disposition in accordance with law; and
- b. The United States agrees to return the remaining \$37,733.05 of Defendant Property A to the Claimant, by and through its attorney of record, and subject to the conditions set out below.

ECF No. 56, ¶ 4.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The United States' motion for a default judgment against all unknown potential claimants and a final order of forfeiture as to Defendant Property A is GRANTED;

2. For failing to file a claim and answer to the Verified Complaint for Forfeiture *In Rem* as required by 18 U.S.C. § 983(a)(4)(A) and (B), and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, default judgment is entered against all unknown persons and entities having an interest in the following Defendant Property A:

\$75,466.10 seized from Commonwealth Business Bank account #350000527, held in the name of Urban Realty Management, Inc.

3. The Stipulation of Settlement between the United States and Claimant Urban Realty and Management, Inc. is APPROVED;

4. According to the Stipulation of Settlement between the United States and Claimant Urban Realty and Management, Inc., \$37,733.05 of the Defendant Property A is forfeited to, and all right, title, and interest is vested in, the United States pursuant to 18 U.S.C. § 981(a)(1)(C) for disposition in accordance with law; and \$37,733.05 of the Defendant Property A shall be returned to Claimant under the terms of the settlement.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 19, 2024

s/Patrick J. Schiltz
Patrick J. Schiltz, Chief Judge
United States District Court